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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JEFFREY B. GUINN

Appellant,

vs.

CDR INVESTMENTS, LLC, a Nevada Limited
Liability Company; DONNA A. RUTHE as
trustee for the CHARLES L. RUTHE TRUST
and on behalf of his Individual Retirement
Account; DONNA A. RUTHE, in her
representative capacity as trustee for the FRANK
E. GRANIERI REVOCABLE LIVING TRUST

Respondents.

Case No. BK-S-13-18986-BTB
CHAPTER 7

Adversary No. BK-S-14-01007-BTB

Case No: 2:19-cv-00649-JAD

**STIPULATION TO STAY APPEAL
PENDING ADDITIONAL RULINGS BY
THE BANKRUPTCY COURT**

ECF No. 3

**STIPULATION TO STAY APPEAL PENDING ADDITIONAL RULINGS BY THE
BANKRUPTCY COURT**

Appellant Jeffrey B. Guinn (“Appellant”), by and through his attorney of record, the law firm of Bailey❖Kennedy, and Respondents CDR Investments, LLC and Donna A. Ruthe, as trustee for the Charles L. Ruthe Trust and his individual retirement account and the Frank E. Granieri Revocable Trust (“Respondents”), by and through their attorneys of record, the law firm of Sylvester & Polednak, Ltd., hereby STIPULATE AND AGREE that:

- On March 31, 2019, the Bankruptcy Court issued its Memorandum Decision in Adversary Case No. BK-S-14-01007-BTB (the “Order”) [Dkt. # 365].
- On April 3, 2019, the Bankruptcy Court ordered briefing on pre- and post-judgment interest [Dkt. # 368].
- The Bankruptcy Court will entertain the issues surrounding pre- and post-judgment interest at a hearing on June 6, 2019, and thereafter issue a final judgment.
- On April 12, 2019, Appellant filed its Notice of Appeal from the Order pursuant to Federal Rule of Bankruptcy Procedure 8002 (the “Appeal”) [Dkt. # 1].
- Appellant and Respondents agree that the Appeal should not proceed until this Court issues its decision on pre- and post-judgment interest and a corresponding final judgment, as any such decision could become part of the Appeal.

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- Appellant and Respondents thus stipulate and agree to stay the Appeal pending a decision from the Bankruptcy Court on pre- and post-judgment interest. The stay of the Appeal will terminate automatically ten days following entry of a final judgment.

DATED this 19th day of April, 2019.

DATED this 19th day of April, 2019.

SYLVESTER & POLEDNAK, LTD.

BAILEY ♦ KENNEDY

By /s/ Matthew T. Kneeland
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ORDER

Based on the parties' stipulation [ECF No. 3] and good cause appearing, IT IS HEREBY ORDERED that THIS ACTION IS STAYED pending decisions from the Bankruptcy Court on pre- and post-judgment interest. However, because this court's electronic filing system does not contain a mechanism for tracking the progress of those Bankruptcy Court motions, IT IS FURTHER ORDERED that any party may move to lift this stay once those decisions and final judgment are entered. This stay will remain in effect unless and until the court grants a motion or stipulation to lift it.



U.S. District Judge Jennifer A. Dorsey
Dated: April 20, 2019